

Countdown to Compliance

News and information on WEEE, RoHS, EuP, REACH, and other Extended Producer Responsibility legislation

March 2006

The Countdown:

EU WEEE: the deadline was 13 August 2005 in most countries. Some, however, are delayed up to 24 months.

EU RoHS: 3 months (1 July 2006)

California SB 20: 9 Months (1 Jan. 2007)

China RoHS: 1 year (1 March 2007) (See article below)

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News

IPC 1752 – The long-awaited electronics industry standard for Material Declaration was formally adopted on March 9th. As we have detailed in [earlier newsletters](#), IPC 1752 is the first and only industry standard to address the complex burden of exchanging material and substance data between part and subassembly vendors and customers up the supply chain.

The IPC standards committee drew from a wide cross-section of industry leaders, including two of us from GCG, who recognized the need for a flexible data structure that is both machine readable and human sensitive. A key innovation of the standard has been to create a free downloadable form in Adobe PDF format. The form itself represents the 'human sensitive' aspect of the standard – filling it out generates the standard 'machine readable' data schema.

Numerous companies – including parts makers, producers, and several software vendors – have already endorsed the standard. GCG's affordable Material Declaration Wizard software is among the

very first to implement it (see below.)

For a more detailed discussion of IPC 1752, go to <http://www.goodbyechain.com/Infolink/PDF/IPC1752.pdf>. You can download the free declaration form at http://members.ipc.org/committee/drafts/2-18_d_MaterialsDeclarationRequest.asp.

'China RoHS' becomes law – officially known as the *Administrative Measure on the Control of Pollution Caused by Electronic Information Products*, China's ban on toxics in electronics was officially adopted on March 1, 2006, and will require compliance on March 1, 2007.

While similar in many respects to the EU RoHS Directive, China RoHS contains some unique provisions and differences. Unfortunately, the general nature of the new law leaves as many questions as it does answers.

- Like the EU, China will ban the use of Cadmium, Hexavalent Chromium, Lead, Mercury, PBB's, and PBDE's.
- Unlike the EU, China RoHS also bans "other toxic or hazard substances or elements set by the State". As yet, there is no indication whether, and what, other toxics may be prohibited.
- Like the EU, China will establish Maximum Concentration Values for the prohibited substances – they have not yet been specified, however. While industry lobbying groups like the AeA are hoping for harmonization with the EU, this is by no means certain.
- The greatest uncertainty is what types of products will fall within the scope of China RoHS, as this has not yet been spelled out. It is often said that China RoHS, unlike the EU, will permit no exemptions. This is true, but misleading. The EU approach was to create 10 blanket categories and then define exemptions (see the article below), whereas China will publish a comprehensive catalogue of products (which will be periodically updated) within the scope of its RoHS. If listed in the catalogue, a product must comply; if not, the product is outside the scope. That catalogue does not yet exist, and is not expected before summer at the earliest. The law does list several broad types of products that will appear in the catalogue, but these are very general, not further defined, and probably subject to the vagaries of translation. According to AeA, the first edition of the catalogue will be heavily oriented toward consumer electronics. The types listed are:
 - "electronic radar products,
 - electronic communication products,
 - broadcast television products,
 - computer products,
 - household electronic products,
 - electronic measurement instrument products,
 - electronic products for special use,
 - electronic component products,
 - electronic application products,
 - electronic material products,
 - etc."
- A very important difference with the EU is that China's RoHS will require that products be

tested for compliance by Chinese test labs prior to receiving mandatory government certification for import into China. Compliant products must be labeled to indicate certification. While the specific testing protocol is not yet promulgated, we expect it to be consistent with the IEC 111 testing standard for substances in electronic products.

- Another difference with the EU RoHS is that China will require manufactures to specify the "safe-use period" of a product, during which toxic substances do not leak or mutate.

Other environmental electronics laws – China is not the only major country to emulate the EU in mandating electronics recycling and toxics reduction. But, like China, available information is often sketchy:

- **'Japan RoHS'** will take effect the same date as the EU – 1 July 2006. While it is not an outright ban of the 6 toxic substances, it will require labeling and reporting of them. Japan RoHS covers PC's, LCD's, CRT's, TV's, unit-type air conditioners, microwave ovens, clothes dryers, electric refrigerators, washing machines, and copiers. Information in English is not yet available.
- **'Korea RoHS'** is under consideration, and would take effect in July 2007. As presently constructed, Korea RoHS would be an amalgamation of WEEE, RoHS, and EuP. Its RoHS aspects would copy the EU, including the EU exemptions.
- A new bill introduced in late February in **California's** state assembly would expand the scope of SB20, the electronics toxic law slated to take effect January 1, 2007. The new bill explicitly copies the product categories and substance bans specified by EU RoHS and WEEE. Like any pending legislation, its fate is uncertain.
- Other US states and Canadian provinces have legislation in the works. **Maine's** TV/CRT recycling law came into effect last year, and 'partial' RoHS/WEEE laws – generally covering a limited scope of electronics products – are under consideration in at least 19 states and provinces.

The GoodBye Chain Group is monitoring all of these and other legislation affecting the electronics industry. We'll continue to inform our readers of new developments. Please contact us if you have specific interests – chances are we have up-to-date information.

Material Declaration Wizard Version, newly improved to Version 4.0, fully supports the requirements of industry standard IPC-1752 (see above.) Dubbed MDW / 1752, the software is a powerful and comprehensive solution to your Material Declaration and RoHS compliance needs, yet costs only a tiny fraction of every other RoHS compliance software on the market. As the only desktop-based solution available, MDW / 1752 can be user installed - without involvement of the IT department! – on any typical Windows PC. It's affordable price, intuitive user interface, and extensive feature set make it the ideal solution for small-to-medium sized enterprises. For larger firms who have implemented complex enterprise-wide RoHS compliance databases within their ERP, MRP, or PLM systems from SAP, Baan, MatrixOne, Agile, and the like, MDW / 1752 is the perfect data collection vehicle for lower-tier suppliers whose IT capabilities are limited.

The new version now features Materials and Substance Libraries, and can import and 'roll-up' subassemblies and subparts. That means you can directly import the Material Declaration for a

detailed, multilevel subassembly from a vendor, and incorporate it into your own multi-level product – emulating your BoM structure.

A fully-functioning trial version of MDW / 1752 can be downloaded from our website at:
<http://www.goodbyechain.com/download/mdwsetup.exe>.

Upcoming Events of Note

SMTA Design for Environment Workshops – Think that with RoHS and WEEE compliance you're over the hump? Think again. RoHS and WEEE are just the start of a broad trend to make electronics – and products of all kinds – non-toxic, energy- and resource-efficient, and economically recyclable. Forward-looking companies like Philips, GE, and Toshiba are aggressively pursuing product stewardship programs, and smaller companies are finding 'green' products to be the path to greater profitability and lower costs.

These upcoming DfE workshops will introduce you to the legislative hurdles your company faces, and concentrate on strategies and examples of how DfE practices are being used today to increase revenues and gain competitive advantage. They are sponsored by SMTA, and produced by The GoodBye Chain Group, Technology Forecasters, and The Centre for Sustainable Design.

April 6 in Phoenix, AZ, June 7 in San Diego, CA, and July 13 in Boston, MA

For more information and registration, go to <http://www.smta.org/education/symposia/symposia.cfm>.

SMTA Building Your RoHS Due Diligence Defense Workshops – The key to effective RoHS compliance is taking "reasonable steps" in establishing "due diligence" to comply. But what are "reasonable steps"? Companies wanting to 'do the right thing' often find that these terms are ambiguous at best. But legal authorities and industry groups are beginning to come to grips with the question of what is appropriate. Presented by The GoodBye Chain Group's Harvey Stone and sponsored by SMTA, this workshop will review case-law precedents, industry best practices, screening techniques, testing strategies, and other topics essential for you to reduce both financial and legal risk.

April 18 in Milwaukee, WI and June 13 in Colorado Springs, CO

For more information on this workshop please visit
<http://www.smta.org/education/academy/academy.cfm#RoHS> or contact SMTA Educational Programs Coordinator, Melissa Serres at melissa@smta.org or 952-920-7682.

IPC/Soldertec International Electronics Conference and Exhibition, "RoHS Compliance and Beyond" – Workshops and Technical Conference on RoHS compliance topics.

April 25-27 in Malmo, Sweden

Details at http://www.ipc.org/calendar/2006/LFConf_0406/LFConf_Malmo.0406.htm#Agenda

EU RoHS and WEEE Exemptions – What do the exemptions mean? Do our products qualify? If so, what should we do? These are some of the most common questions we get from our clients. If only there were simple, general answers!

The fact is that, while the answers are often very easy to arrive at, the vagaries of the directives often make them elusive. What to do?

- First, make sure you're on solid ground regarding what has been adopted, and what has only been proposed or even only rumored. A good place to start is our concise Guide to RoHS exemptions at <http://www.goodbyechain.com/Infolink/infoLink.html>.
- Bear in mind too that, especially for RoHS, the list of exemptions is changing frequently. There have been several rounds of requests – some are adopted, others not, and others modify the wordings of previously adopted exemptions.
- Document, document, document! Have your products assessed for exemption applicability by an independent expert. If claiming an exemption, cite the reasons for the claim and maintain the documentation in the Technical File. Make it readily accessible. You may need it – we have seen cases where solid documentation cut through red-tape at customs.
- In some cases – where the risk is particularly great or your products fall in a particularly 'grey' area, legal counsel may be called for. Don't rely on in-house counsel unless they are experts in this area of EU law; consult a legal specialist.

The GoodBye Chain Group has developed a comprehensive framework for evaluating and documenting product exemptions, as well as the processes for legal WEEE registration in all of the EU Member States. Our Compliance Alliance enables us to engage legal specialists, testing laboratories, analytical equipment suppliers, and manufacturing specialists.

Please call us to discuss your requirements.

The GoodBye Chain Group

www.goodbyechain.com

The GoodBye Chain Group occasionally sends emails of interest to those concerned with producer responsibility legislation like RoHS, WEEE, EuP, and REACH. You are receiving this newsletter due to prior contact with us. If you do not wish to receive these mailings, please use your email reply function to let us know, and you will be promptly removed from our lists. You may also unsubscribe at our [Subscriptions page](#). To keep our emails coming, please configure your spam blocker to accept the domain goodbyechain.com.

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